

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement		GRANT NUMBER (FAIN): 99291098		DATE OF AWARD 09/13/2000
			MODIFICATION NUMBER: 2		
			PROGRAM CODE: V		MAILING DATE 09/20/2000
			TYPE OF ACTION Augmentation: Increase		
RECIPIENT TYPE: State			Send Payment Request to: Region 2 Grants & Contracts Mgt. Branch		
RECIPIENT: New Jersey Dept of Environmental Protection P.O. Box 420 Trenton, NJ 08625-0420 EIN: 21-6000928			PAYEE: New Jersey Dept of Environmental Protection P.O. Box 420 Trenton, NJ 08625-0420		
PROJECT MANAGER Edward Putnam E-Mail: Phone: 609-984-2990		EPA PROJECT OFFICER Carole Petersen 290 Broadway New York, NY 10007-1866 E-Mail: Phone: 212-637-4420		EPA GRANT SPECIALIST Carol Hemington E-Mail: Phone: 212-637-3420	
PROJECT TITLE AND EXPLANATION OF CHANGES Support Agency Assistance - Remedial Planning					
BUDGET PERIOD 10/01/1998 - 09/30/2001		PROJECT PERIOD 10/01/1998 - 09/30/2001		TOTAL BUDGET PERIOD COST \$1,181,400.00	
				TOTAL PROJECT PERIOD COST \$1,181,400.00	
NOTICE OF AWARD					
<p>Based on your Application dated 06/12/2000 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$507,500. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,181,400. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.</p>					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866			ORGANIZATION / ADDRESS U.S. EPA, Region 2		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Jeanne M. Fox - Regional Administrator					DATE 09/13/2000

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 673,900	\$ 507,500	\$ 1,181,400
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 673,900	\$ 507,500	\$ 1,181,400

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.802 - Hazardous Substances Response Trust Fund	CERCLA: Sec. 104	40 CFR PTS 31 & 35 SUBPT O

[illegible]

Approved Budget	
Program Element Classification (Construction)	Approved Allowable Budget Period Cost
1. Administration Expense	\$0
2. Preliminary Expense	\$0
3. Land Structure, Right Of Way	\$0
4. Architectural Engineering Basic Fees	\$0
5. Other Architectural Engineering Fees	\$0
6. Project Inspection Fees	\$0
7. Land Development	\$0
8. Relocation Expenses	\$0
9. Relocation Payments to Individuals & Bus.	\$0
10. Demolition and Removal	\$0
11. Construction and Project Improvement	\$0
12. Equipment	\$0
13. Miscellaneous	\$0
14. Total (Lines 1 thru 13)	\$0
15. Estimate Income	\$0
16. Net Project Amount (Line 14 minus 15)	\$0
17. Less: Ineligible Exclusions	\$0
18. Add: Contingencies	\$0
19. Total (Share: Recip % Fed %)	\$0
20. TOTAL APPROVED ASSISTANCE AMOUNT	\$0

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$713,412
2. Fringe Benefits	\$181,874
3. Travel	\$40,000
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$0
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$935,286
10. Indirect Costs: % Base	\$246,114
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$1,181,400
12. Total Approved Assistance Amount	\$1,181,400
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$
15. Total EPA Amount Awarded To Date	\$

Administrative Conditions

a. GENERAL CONDITION

The recipient covenants and agrees that it will expeditiously initiate and timely complete the project work for which assistance has been awarded under this agreement, in accordance with all applicable provisions of 40 CFR Chapter 1, Subchapter B. The recipient warrants, represents, and agrees that it, and all its contractors, employees and representatives, will comply with all applicable provisions of 40 CFR Chapter 1, Subchapter B, INCLUDING BUT NOT LIMITED TO the provisions of 40 CFR Part 35 Subpart O.

b. TERMS AND CONDITIONS

All Terms and Conditions included or referenced in Amendment No. V992910-98-1 remain in effect and are incorporated by reference herein, with the following exception(s):

Condition No. 14 is hereby deleted and is replaced with the following:

14. DISADVANTAGED BUSINESS ENTERPRISE FAIR SHARE REQUIREMENTS

In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises (MBE/WBE) in procurement under assistance programs, the recipient agrees to:

- a. the applicable FY-2001 "fair share" goals negotiated with EPA by the State which break down as follows:
 - o for New Jersey MBE: Construction, Equipment, Supplies and Services are 7%.
 - o for New Jersey WBE: Construction, Equipment, Supplies and Services are 3%.
- b. ensure to the fullest extent possible that the applicable fair share goals as referenced in paragraph (a) are applied to Federal funds for prime contracts or subcontracts for Construction, Equipment, Supplies and Services. The recipient agrees to include in its bid documents the applicable FY 2001 "fair share" objectives and require all of its prime contractors to include in their bid documents for subcontractors the applicable FY 2001 "fair share" percentages and to comply with paragraphs (c) (d) and (e).
- c. follow the six affirmative steps stated in 40 CFR 30.44(b), 40 CFR 31.36(e), 35.3145(d), 35.6580, or the Drinking Water State Revolving Fund (SRF) Program Guidelines, as appropriate.
- d. submit an EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements, and Interagency Agreements" to Otto Salamon the Region II MBE/WBE, Small Disadvantaged Business Utilization Officer (SDBUO) beginning with the Federal fiscal year quarter the recipient receives the award and continuing until the project is completed. These reports must be submitted to the SDBUO within 30 days of the end of the Federal fiscal quarter (January 30, April 30, July 30 and October 30) except for assistance awards for Continuing Environmental Programs which must be submitted to the SDBUO by October 30 of each year.
- e. notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective, in the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBE.

Condition No. 15 is hereby deleted and is replaced with the following:

15. REQUIREMENTS FOR ACCOUNTING FOR COSTS AND REQUESTING PAYMENT

Funds under this Cooperative Agreement have been awarded in a lump sum, using a non-site-specific account identifier (e.g., Site/Project identifies "02WQMA00"). However, drawdowns may not be made using this identifier; for drawdown purposes, the following site-specific and/or operable unit-specific identifiers must be used, corresponding to the site(s) and/or operable unit(s) for which costs were incurred:

SITE/OU I.D.	ACTIVITY	APPROVED BUDG. AMT (100% FEDERAL)	SITE/PROJ.
0295MA00	Brook Industrial Park	RD \$21,250	
0294MA00	Chemical Insecticide	RI/FS \$21,250	
	Chemical Leaman OU#2 (Soil)	RI/FS \$8,000	02B4MA00
	Chemical Leamon OU#3 (GW)	RD \$11,000	
02B4MA00	Chemsol	RD \$18,500	
02C3MA00	Ciba Geigy	RI/FS \$27,000	
0287MA00	Cinnaminson	RD \$6,000	02F7MA00
	Cornell Dublier	RI/FS \$25,000	
026ZMA00	Cosden Chemical (Soil)	RD \$26,250	
02P8MA00	Cosden Chemical (GW)	RD \$12,500	
02P8MA00	Diamond Alkali / Passaic River	RI/FS \$47,050	
0296MA00	Dover Municipal Well (Source)	RI/FS \$15,000	
02W1MA00	Dover Municipal Well (GW)	RD \$5,000	02W1MA00
	Emmell's Septic LF	RI/FS \$5,000	02JWMA00
	Fairlawn / Sandvik	RI/FS \$52,700	
0258MA00	Federal Creosote	RI/FS \$118,800	02JJMA00
	Fried Industries (GW)	RD \$11,200	
02D1MA00	Fried Industries (Soil)	RD \$11,200	
02D1MA00	Higgins Disposal (GW)	RD \$5,000	023CMA00
	Horseshoe Road	RI/FS \$30,000	
02BTMA00	Iceland Coin Laundry	RI/FS \$5,000	02MPMA00
	Industrial Latex	RI/FS \$16,200	
02M3MA00	Kauffman & Minter	RD \$20,000	
021RMA00	LCP Chemicals	RI/FS \$42,000	
02HUMA00	Lightman Drum	RI/FS \$5,000	02MSMA00
	Martin Aaron	RI/FS \$5,000	02MNMA00

0219MA00	Maywood Chemical	RI/FS & RD	\$51,500	
0241MA00	Metaltec	RD	\$11,200	
02N4MA00	Monitor Devices	RI/FS	\$10,000	
02A9MA00	Montclair / Glen Ridge	RI/FS	\$11,200	
0290MA00	Montgomery Township	RD	\$11,200	
02C9MA00	Myers (Soil)	RD	\$13,500	
	NL Industries (GW)	RD	\$11,000	0261MA00
	Pepe Field	RD	\$3,200	0289MA00
	Pohatcong Valley	RI/FS	\$41,200	
023JMA00				
	Puchak	RI/FS	\$75,000	
02JLMA00				
	Rockaway Boro (GW)	RD	\$16,200	
0281MA00				
	Rockaway Boro (Soil)	RI/FS	\$23,200	
0281MA00				
	Rocky Hill Wellfield	RD	\$21,200	
0264MA00				
	Roebling Steel	RI/FS	\$82,400	
0291MA00				
	Route 561 Dump	RI/FS	\$40,000	
02FSMA00				
	SCP Carlstadt	RI/FS & RD	\$21,000	
0265MA00				
	U.S. Radium	RD	\$11,200	
0267MA00				
	U.S. Avenue Burn Site	RI/FS	\$40,000	
02GEMA00				
	Vineland Chemical	RD	\$26,200	
02B8MA00				
	Waldick	RD	\$13,200	
02F4MA00				
	Welsback G.M.	RI/FS	\$55,700	
028UMA00				
	White Chemical	RI/FS	\$11,200	
026JMA00				
	Zschiegner Refining	RI/FS	\$10,000	
028EMA00				

The following condition is added:

20. OVERDUE FINANCIAL STATUS REPORT

Within 45 days of receipt of this amendment, or within any additional time as may be granted by the EPA Grants Office, the recipient shall submit to EPA a Financial Status Report (SF-269A) showing expenditures through September 30, 1999.

Please note that Condition No. 17 in Agreement No. V992910-98-0, which limits charging of costs to this

agreement, has not been satisfied and remains in effect.